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SERVICE DATE - OCTOBER 6, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 148X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—
IN COOS COUNTY, OR

Decided: October 2, 2003

On July 12, 2000, Union Pacific Railroad Company (UP) and Central Oregon & Pacific Railroad, Inc. (CORP), jointly filed a petition seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 for UP to abandon, and for CORP to discontinue service over, a 1-mile line of railroad extending between mileposts 785.50 and 786.50 at Coquille, in Coos County, OR. Notice of the petition was served and published in the Federal Register on August 1, 2000, at 65 FR 47001.

In a decision served October 30, 2000, the petition for exemption was granted, subject to standard employee protective conditions and the following environmental conditions: (1) that UP and CORP, prior to any salvage activities, consult with the Oregon Department of Environmental Quality, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the Oregon Department of Fish and Wildlife; and (2) that UP retain its interest in and take no steps to alter the historic integrity of the rail line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

By letter filed September 8, 2003, UP requests that the historic preservation condition be removed. In support of its request, UP attached a letter from the Oregon Parks and Recreation Department, State Historic Preservation Office, indicating that no historic properties would be affected by the proposed abandonment.

The Board's Section of Environmental Analysis indicates that, based on the information submitted by UP, it recommends that the section 106 condition be removed. Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.¹

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ The salvage activity condition imposed in the October 30 decision remains in effect.

It is ordered:

1. The proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the October 30, 2000 decision is removed.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary